

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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GREGORY D. BOYD,

Petitioner,

v.

DWIGHT NEVEN, *et al.*

Respondents.

Case No. 2:11-cv-01916-MMD-GWF

ORDER


(Respondents' Motion to Extend Time to
File Reply – dkt. no. 23)

(Respondents' Motion for Leave to
Conduct Discovery – dkt. no. 24)

This is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which petitioner, a state prisoner, is represented by counsel. On June 7, 2012, respondents filed a motion to dismiss the amended petition. (Dkt. no. 13.) On September 5, 2012, following an extension of the deadline, petitioner filed a response to the motion to dismiss ("Opposition Brief"). (Dkt. no. 19.) Respondents sought a ten day extension of time to file their reply brief ("Reply Brief"). However, on September 27, 2012, the new deadline to file their Reply Brief, respondents filed yet a second motion for extension of time. (Dkt. no. 23.) This time, respondents request an extension until after the resolution of a companion motion for leave to conduct discovery filed on September 27, 2012. The basis for this extension is counsel's belief that a review of petitioner's educational records, which are the subject of said discovery motion, is necessary for respondents to adequately assess the equitable tolling claims presented in petitioner's Opposition Brief.

1 Accordingly, respondents' motion for leave to conduct discovery (dkt. no. 24) is
2 GRANTED. Respondents will have two weeks to conduct discovery relevant to their
3 reply brief. Respondents' motion to extend time to file a reply (dkt. no. 23) is also
4 GRANTED. Respondents must file their reply brief ten (10) days after the close of the
5 relevant discovery.

6 DATED THIS 5th day of October 2012.

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10 UNITED STATES DISTRICT JUDGE
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